ANC 3F

3F01 - Phil Kogan
3F02 - Karen L. Perry
3F03 - Robert V. Maudlin
3F04 - David J. Bardin
3F05 - Doug Mitchell
3F06 - Cathy Wiss
3F07 - Todd Strauss

Advisory Neighborhood Commission 3F
NORTH CLEVELAND PARK / FOREST HILLS

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2002 APR 15 AM 10:50

April 15, 2002

02-16

Ms. Carol Mitten, Chair
D.C. Zoning Commission
441 – 4th Street, N.W.
Room 210
Washington, D.C. 20001

RE: Request for Authorization to Rescind Covenant Pertaining to 4500 Wisconsin Avenue, N.W. (Lot 15, Square 1730)

Dear Chair Mitten:

This is in response to the March 15, 2002, letter from Alberto Bastida, Secretary to the Zoning Commission, notifying ANC 3F of the request from HQ Acquisitions, LLC, to rescind a 1940 covenant pertaining to its property located at 4500 Wisconsin Avenue, N.W., and allowing our ANC an opportunity to provide comments.

Although this property is within ANC 3E, it is less than two blocks from ANC 3F, and its redevelopment is of high interest to ANC 3F residents because of its potential direct impacts on these residents. This Commission has reviewed the proposed redevelopment extensively. Representatives of HQ Acquisitions have come before our ANC on numerous occasions to inform the Commission about plans for the property, including our regularly-scheduled monthly meetings on September 10, 2001 (conceptual presentation for redevelopment of the property); on October 15, 2001 (presentation concerning an application to the Historic Preservation Review Board for concept approval of restoration and a four-floor addition); and on March 18, 2002 (presentation concerning a request to the Board of Zoning Adjustment for variances on building height, recreation space, and parking aisle width and a special exception for retail parking for the proposed redevelopment). At the October 2001 monthly meeting, the Commission approved ANC 3F RESOLUTION NOT OBJECTING TO THE CONCEPT OF ALTERING THE LANDMARKED PROPERTY AT 4500 WISCONSIN AVENUE, N.W., BY ADDING FOUR FLOORS OF HOUSING ABOVE THIS HISTORIC STRUCTURE (Resolution 01-22). On March 18, 2002, the Commission approved ANC

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ZONING COMMISSION
District of Columbia
Case 02-16
Exhibit 4

ZONING COMMISSION
District of Columbia
CASE NO.02-16
EXHIBIT NO.4

3F RESOLUTION CONCERNING BZA APPLICATION NO. 16857 FOR 4500 WISCONSIN AVENUE, N.W. (SEARS/HECHINGER'S BUILDING) (Resolution 02-10). Copies of both resolutions are enclosed. Furthermore, a representative of ANC 3F appeared and testified before both the HPRB and BZA concerning the proposed redevelopment of this property.

At its regularly-scheduled monthly meeting on April 15, 2002, ANC 3F considered the request to rescind the 1940 covenant, which requires that the owner of the property receive Zoning Commission approval for any change to the entrances and exits or for any addition to the building. This is a covenant running with the land that falls within the jurisdiction of the Zoning Commission. In this case, ANC 3F defers to the judgment of the Zoning Commission to decide whether to hear the case, and if it does so, whether or not to rescind the covenant.

This letter was adopted by ANC 3F by a vote of 7-0-0 at a duly-noticed public meeting on April 15, 2002, with a quorum of its seven commissioners present.

Sincerely,

Cathy Wiss

Cathy Wiss
Chair, ANC 3F

Enc.: ANC 3F Res. 01-22
ANC 3F Res. 02-10

CC: Jill Diskan, Chair, ANC 3E
Armond Spikell, HQ Acquisitions

Res 01-22

ANC 3F RESOLUTION NOT OBJECTING TO THE CONCEPT OF ALTERING THE LANDMARKED PROPERTY AT 4500 WISCONSIN AVENUE, N.W., BY ADDING FOUR FLOORS OF HOUSING ABOVE THIS HISTORIC STORE

Advisory Neighborhood Commission 3F
North Cleveland Park and Forest Hills
P.O. Box 39290
Washington, D.C. 20016-9290

WHEREAS: HQ Acquisitions, LLC, owners of the landmarked property at 4500 Wisconsin Avenue, N.W., formerly the Sears Department Store, have applied to the HPRB to alter the store by adding four floors of residential space on top of the store, HPA No. 01-613; and

WHEREAS: this property is in the D.C. Inventory of Historic Sites and on the National Register of Historic Places, having been designated in part because it is one of "Washington's earliest and most significant examples of modern commercial architecture"; it exemplifies a national trend in modern merchandising to integrate "automobile parking and services into shopping facility design" and to "accommodate modern climate control systems and merchandising techniques"; its design includes the innovation of "a 'windowless' and 'upside down' layout with a major customer entry from rooftop parking"; and it uses "architectural concrete as a modern façade material" (D.C. HPRB Designation Letter, May 25, 1995); and

WHEREAS: plans for the addition to the store show that the form of the original structure will not be changed, but that the main floor and part of the basement will still be used for retail and the floors of housing will be added above the level of the rooftop parking so that the use of the roof for parking will continue, as will the use of at least some of the ramps to enter and leave it; and

WHEREAS: ANC 3F is affected by development of this property because:

(1) although the property is not within the boundary of ANC 3F, it is within 1,000 feet of ANC 3F and can be seen from several places in ANC 3F;

(2) residents of ANC 3F have for decades shopped at this location when it housed the Sears Department Store and Hechinger's, and they expect to shop there once again under the new development;

(3) residents of ANC 3F use the services of the Tenley-Friendship Library and Iona House and attend Janney School, St. Ann's, St.Columba's, and Eldbrooke Churches, all institutions surrounding and affected by development of the property; and

WHEREAS: residents of ANC 3F have not expressed the view that adding housing atop the building will detract from its landmark status, but rather have stated their support for this plan as a use compatible with the surrounding community and an appropriate way to add new housing to Tenleytown; and

WHEREAS: the D.C. Comprehensive Plan designates this property as within the Tenleytown Metrorail Station Special Treatment Area, where "development of substantial new housing" is to be provided, 10 DCMR Section 1129.2 (c), and the D.C. Generalized Land Use Map appended to the Comprehensive Plan shows this property as intended for a mixed use of moderate-density commercial and medium-density housing;

THEREFORE, BE IT RESOLVED THAT: ANC 3F does not object to the concept of adding housing above the rooftop parking level of the Sears Building, but recommends that the floors of housing be set back from the Wisconsin Avenue and River Road, as well as the Albemarle Street facades to distinguish the addition from the original structure, to minimize the height and mass of the addition, and to preserve the historic feel of most of the ramps and rooftop parking:

. The setbacks indicated for Wisconsin Avenue and River Road in the "Typical Residential Floor (3-6)" plan will help achieve these purposes, especially the 120-foot setback from the intersection of Wisconsin Avenue and Albemarle Street;

. A setback along the River Road façade at the corner of Murdock Mill Road would allow the Eldbrooke Church steeple to be viewed from Wisconsin Avenue, as it has been for decades. In actuality, the steeple is not as high as it appears in the elevations provided because the church is significantly downhill from the Sears Building;

. An additional setback from the façade along Albemarle Street at least the depth of the entrance ramp should be provided to highlight this principal entrance to the rooftop parking and to maintain its open-air feel. The view of the proposed addition from the intersection of 42nd and Albemarle Street and from Janney School would be particularly overwhelming without this setback;

. A similar setback along Murdock Mill Road the depth of the closest ramp would help preserve the sense that this building integrates automobile parking into its design; and

BE IT FURTHER RESOLVED THAT: ANC 3F requests that it be allowed to comment further on this application as plans are refined.

Approved by a vote of 6-0-0 at a duly noticed meeting on October 15, 2001, with a quorum present.

David J. Bardin, Chair

Robert V. Maudlin, Secretary

Res. 02- 10

ANC 3F RESOLUTION CONCERNING BZA APPLICATION NO. 16857 FOR 4500 WISCONSIN AVENUE, N.W. (SEARS/HECHINGER'S BUILDING)

Advisory Neighborhood Commission 3F
North Cleveland Park and Forest Hills
P.O. Box 39290
Washington, D.C. 20016-9290

WHEREAS, an application has been filed for 4500 Wisconsin Avenue, N.W., requesting a variance for a five-foot increase in height to 70 feet for the proposed residential addition; a variance in onsite recreation space for residential tenants from 29,400 sq. ft. to 9,300 sq. ft., a two-thirds reduction; a variance for reduction of the width of one-way parking lanes from 17' to 14'6"; and a special exception for a 61-space reduction in required retail parking on site (from 211 to 150 spaces); and

WHEREAS, 4500 Wisconsin Avenue, N.W., is located within ANC 3E, but is less than two blocks outside ANC 3F and will be within 200 feet of ANC 3F once redistricting takes effect in the next few months, when the boundary between the ANCs at this location will become Wisconsin Avenue; and

WHEREAS, residents of ANC 3F will be affected by the variances and special exception requested for this building because the building is visible from ANC 3F; the streets of ANC 3F will be used by traffic to and from the retail and residential uses proposed for the building; and residents of ANC 3F have traditionally shopped at stores at this location; and

WHEREAS, on October 15, 2001, ANC 3F passed Resolution 01-22 not objecting to the concept of adding four floors of housing above the historic store, stating that residents of ANC 3F support this plan as "an appropriate way to add new housing to Tenleytown" and believe it to be consistent with the D.C. Comprehensive Plan; and on February 7, 2002, the Historic Preservation Review Board approved the concept of a four-story residential addition on top of the historic store with significant setbacks from Wisconsin Avenue and Albemarle Street; and

WHEREAS, most residents of ANC 3F have not stated they are opposed to the proposed five-foot increase in height, but some have expressed concern that air rights on the roof may be leased or sold for commercial structures, like antennas, not related to the onsite use of residential and retail tenants, as is becoming a common practice on rented residential and commercial buildings, thereby increasing their appearance of height; and

WHEREAS, residents of ANC 3F have asked that at least one parking space be made available for each residential unit to reduce spill-over parking in the neighborhoods; and the plans show 188 parking spaces in parallel, angled, and tandem configuration on the existing roof for 185 apartments (although the text states that there will be 170 parking spaces), and

WHEREAS, using the entire roof for parking limits the amount of space available for recreation on this level, but some space for recreation might be found on the two ramps to the roof marked "not used", in particular the ramp facing Eldbrooke Church; and

WHEREAS, the parking configuration shows one-way lanes at a width of 14'6" for both residential and retail levels; and

WHEREAS, the Applicant has not provided to ANC 3F a traffic study to show whether the surrounding area can support the traffic generated by the retail uses and 185 residential units proposed and whether the significantly lower number of parking spaces allocated for retail customers on site than required by zoning will be sufficient to accommodate all the customers and keep them from parking on neighborhood streets, although ANC 3F understands the Applicant controls an easement for 100 parking spaces in a parking garage across Wisconsin Avenue; nor has the Applicant divulged the type of retailers that are expected to occupy the building so that the ANC can determine whether customers are likely to travel on foot, by subway, or by car;

NOW THEREFORE BE IT RESOLVED THAT: ANC 3F does not object to a five-foot variance in height for the residential portion of the building provided that the variance is conditioned on an agreement that the Applicant not lease or sell air rights above the site without first obtaining approval from the residential tenants and the ANC(s); and

BE IT FURTHER RESOLVED THAT: ANC 3F recommends that the Applicant explore using the unused ramps to the roof for recreational purposes, such as for an exercise course or for terraced plantings and walkways (subject to HPRB approval), in order to increase the recreational uses available for residents and to improve air quality; and

BE IT FURTHER RESOLVED THAT: ANC 3F recommends that the variance for the width of the one-way parking lanes, which could be an impediment to access by emergency vehicles, be conditioned on approval from the Fire Marshall; and

BE IT FURTHER RESOLVED THAT: ANC 3F recommends the Applicant prepare a traffic study to determine (1) whether the road system can absorb traffic from 185 residential units and three retailers; (2) whether the parking is adequate for prospective residents and customers, considering the type of stores planned and pedestrian and public transit access; and (3) whether adjustments should be made to traffic signals and patterns surrounding the site to mitigate any adverse impacts from the development, to ensure pedestrian safety, and to improve traffic management; and

BE IT FURTHER RESOLVED THAT: Commissioner Cathy Wiss be appointed to represent ANC 3F at the hearing before the Board of Zoning Adjustment.

Approved by a vote of 5-1-0 at a duly noticed public meeting on March 18, 2002, with a quorum present.

Cathy Wiss

Cathy Wiss, Chair

David J. Bardin, Secretary